

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

TRINA WILLY,

Plaintiff,

v.

THE SHERWIN-WILLIAMS COMPANY,

Defendant.

Case No. 3:21-cv-00054-AR

ORDER

IMMERGUT, District Judge.

On May 17, 2022, Magistrate Judge Jeffrey Armistead issued an Opinion and Order (“Opinion”), ECF 32, ruling on Defendant’s Motion for a Protective Order, ECF 23. Judge Armistead granted the protective order, stuck the Rule 30(b)(6) deposition set for May 5, 2022 with prejudice, and ordered discovery closed. ECF 32 at 15. Plaintiff filed objections to the Opinion, ECF 34, to which Defendant responded, ECF 36. Because the Magistrate Judge resolved a pretrial matter not dispositive of a party’s claim or defense, this matter comes before this Court pursuant to Federal Rule of Civil Procedure 72(a).

This Court has carefully considered the objections and concludes that, because the Opinion is not clearly erroneous or contrary to law, the objections do not provide a basis to

modify Judge Armistead's Opinion. Accordingly, this Court AFFIRMS Judge Armistead's Opinion, ECF 32.

STANDARDS

Federal Rule of Civil Procedure 72(a) provide that "[w]hen a pretrial matter not dispositive of a party's claim or defense is referred to a magistrate judge to hear and decide, the magistrate judge must promptly conduct the required proceedings and, when appropriate, issue a written order stating the decision." Fed. R. Civ. P. 72(a). A party may object to the magistrate judge's order. *Id.* The standard of review of a non-dispositive order with objections is "clearly erroneous" or "contrary to law." 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a); *see also adidas Am., Inc. v. Fashion Nova, Inc.*, No. 3:19-cv-740-AC, 2022 WL 225269, at *1 (D. Or. Jan. 25, 2022) ("[T]he district judge may reject that determination *only* when the magistrate judge's order is either clearly erroneous or contrary to law.").

CONCLUSION

This Court has carefully considered Plaintiff's objections and concludes that, because the Opinion is not clearly erroneous or contrary to law, the objections do not provide a basis to modify Judge Armistead's Opinion. *See* Fed. R. Civ. P. 72(a). Accordingly, this Court AFFIRMS Magistrate Judge Armistead's Opinion, ECF 32. Plaintiff's objections, ECF 34, are DENIED.

IT IS SO ORDERED.

DATED this 16th day of June, 2022.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge